

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1924

1 WHEREAS, Chien Van Nguyen has submitted an application designated as
2 Special Permit No. 1924 for authority to sell alcoholic beverages for consumption off the
3 premises at Kabredlos convenience store at 2305 R Street, legally described as:

4 The north 100 feet of Lots 5 and 6, Block 4, Kinney's O Street
5 Addition, located in the Southeast Quarter of Section 24,
6 Township 10 North, Range 6 East of the 6th P.M., Lancaster
7 County, Nebraska; and

8 WHEREAS, the real property adjacent to the area included within the site
9 plan for this permit to sell alcoholic beverages for consumption off the premises will not be
10 adversely affected; and

11 WHEREAS, said site plan together with the terms and conditions hereinafter
12 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal
13 Code to promote the public health, safety, and general welfare.

14 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
15 Lincoln, Nebraska:

16 That the application of Chien Van Nguyen, hereinafter referred to as
17 "Permittee", to sell alcoholic beverages for consumption off the premises on property
18 legally described above be and the same is hereby granted under the provisions of Section
19 27.63.685 of the Lincoln Municipal Code upon condition that operation of said licensed
20 premises be in strict compliance with said application, the site plan, and the following
21 additional express terms, conditions, and requirements:

1 1. This permit approves the sale of alcoholic beverages for consumption
2 off the premises at the establishment known as Kabredlos, located at 2305 R Street.

3 2. The requirement of Section 27.63.685(g) of the Lincoln Municipal
4 Code limiting the distance of an access door from a residential district to not less than 150
5 feet is hereby waived.

6 3. The requirement of Section 27.63.685(c) of the Lincoln Municipal Code
7 requiring a 100' separation from a residential district or residential use is waived upon
8 mitigation approved by the Planning Director.

9 4. The Permittee agrees to continuously and regularly maintain the
10 landscape screen on Lot 4, Block 4, Kinney's O Street Addition, provided however, should
11 the Permittee transfer title of Lots 5 and 6, Block 4, Kinney's O Street Addition, the
12 Permittee shall provide an easement to the buyer to allow the continuous and regular
13 maintenance of the landscape screen on Lot 4, Block 4, Kinney's O Street Addition
14 provided however if the Permittee sells Lot 4, Block 4, Kinney's O Street Addition, the
15 Permittee shall reserve an easement for the continuous and regular maintenance of the
16 landscape screen by the Owner of Lots 5 and 6, Block 4, Kinney's O Street Addition.

17 5. The site plan approved by this permit shall be the basis for all
18 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
19 elements, and similar matters.

20 6. The terms, conditions, and requirements of this resolution shall be
21 binding and obligatory upon the Permittee, his successors, and assigns. The building
22 official shall report violations to the City Council which may revoke the special permit or
23 take such other action as may be necessary to gain compliance.

1 7. The Permittee shall sign and return the City's letter of acceptance to
2 the City Clerk within 30 days following approval of the special permit, provided, however,
3 said 30-day period may be extended up to six months by administrative amendment. The
4 City Clerk shall file a copy of the resolution approving the special permit and the letter of
5 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
6 Permittee.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant

Approved this ____ day of _____, 2001:

Mayor